

REMARKS

Claims 67-70 are pending. Claims 1-67 have been cancelled without prejudice or disclaimer.

New claims 67-70 are supported throughout the specification, e.g., at Paragraphs [0010], [0014], [0023], and Figure 1. No new matter has been added.

Claims 1-66 stand rejected under 35 USC § 102(e) as allegedly being anticipated by Carlin (U.S. Published Patent Application No. 2002/009358). The Office Action asserts Carlin expressly teaches each feature of the rejected claims. Reconsideration is respectfully requested in light of the amendments to the claims and the following remarks.

Again, Applicant respectfully submits this reference does not qualify as prior art for the subject matter relied upon by the Office Action. As previously explained, Carlin is only art under 35 USC § 102(e) against the present claims for subject matter it shares with U.S. Patent Application, Serial No. 09/643,507.

While Applicant notes the discussion of U.S. Patent No. 7,062,722 (which matured from the '507 Application), such patent has not been cited by the Examiner. If the Examiner wishes to base any rejection upon disclosure found in this patent, she is invited to cite the '722 Patent on a PTO Form 892 in a subsequent NON-FINAL Office Action. Therefore, since the '722 Patent is not of record in connection with this Application, all discussions of the '722 Patent are inappropriate and cannot have any bearing on the present claims. Again, if the Examiner wishes to base a rejection on this patent, she is invited to do so.

Since Carlin has a priority date (under 35 USC § 102(e)) for subject matter in common with the '507 Application, and this subject matter does not disclose the elements of the present claims, Applicant respectfully requests reconsideration of this rejection.

Specifically, despite the description in the Office Action that Carlin teaches "distributing software in designing layouts," Applicant respectfully submits that Carlin does not teach software useable to (1) design the composite material, (2) generate a bill of materials for the product, *and* (3) generate a program of instructions for operation of a CNC machine to machine components of the product as claimed. In contrast, Carlin merely teaches providing "photo-realistic composite images of interactively customized products." Neither this reference, nor any other cited reference teaches

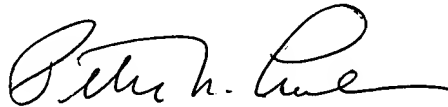
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or suggests the other claimed features. As the system of Carlin only provides what is effectively a customized image (not software), Applicant respectfully submits this reference cannot be the basis for a rejection under § 103.

It is respectfully submitted that all objections and rejections are overcome. Thus, a Notice of Allowance is respectfully requested. If any fee is necessary to make this paper, or any paper filed herewith, timely and/or complete, such fee may be deduced from the undersigned's Deposit Account No. 19-4375.

Respectfully submitted,



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